

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:21-cv-00373-FDW-DCK

ROBERT OWENS,

Plaintiff,

vs.

NWR SERVICES, LLC
NORTHWOOD RAVIN, LLC,

Defendant.

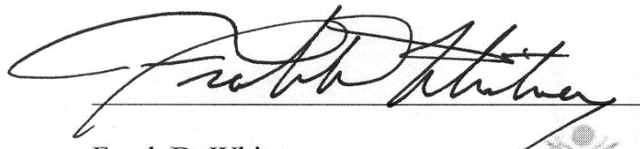
ORDER

THIS MATTER is before the Court on the parties' Joint Notice of Settlement, filed on January 8, 2023, wherein the parties notified the Court that they have reached a resolution in this matter, and that they expect to file a Joint Stipulation of Dismissal by Wednesday, January 11, 2023. (Doc. No. 45). As such, the parties request that this Court vacate all current deadlines and court dates in this matter. However, this matter is docketed for trial beginning on January 9, 2023. In this Court's previous Order, the Court notified the parties that "absent the filing of a Stipulation of Dismissal, counsel is hereby advised they are expected to appear for: (1) docket call at 9:01 a.m. on January 9, 2023; (2) a pretrial conference immediately following docket call . . . ; and (3) jury selection at 9:00 a.m. on January 10, 2023." (Doc. No. 40 (emphasis added)). Although it appears the parties will finalize the settlement process by Wednesday, January 11, 2023, in light of the Court's prior Order, unless and until the parties file their Stipulation of Dismissal, the Court finds no sufficient basis under the current record to stay deadlines or continue the trial in this matter. Accordingly, the parties' request to vacate all current deadlines and court dates in this matter is DENIED.

IT IS THEREFORE ORDERED that unless and until the parties file their Stipulation of Dismissal, counsel is hereby advised that they are expected to appear for: (1) docket call at 9:01 a.m. on January 9, 2023; (2) a pretrial conference immediately following docket call, at 9:15 a.m. on January 9, 2023; and (3) jury selection at 9:00 a.m. on January 10, 2023. The Stipulation of Dismissal, if filed, must be filed no later than 2:00 p.m. on January 9, 2023, to allow the Clerk of Court sufficient time to advise the jurors that they need not appear for jury selection on January 10, 2023. If settlement occurs after that time, the Court will assess all jurors' costs equally against the parties. (See Doc. No. 11, p. 13–14; Doc. No. 40, n.1).

IT IS SO ORDERED.

Signed: January 8, 2023


Frank D. Whitney
United States District Judge

